

Before the Federal Communications Commission
Washington, DC

In the Matter of the Amendment of
Service and Eligibility Rules for
FM Broadcast Translator Stations

MB Docket No 07-172
RM-11338

From: Gordon Johnson, President/General Manager
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To: The Commission

We would like to comment on the Commission's Notice of Proposed Rulemaking, released August 15, 2007 in the above-mentioned matter. The NPRM proposes rules permitting the use of FM translators by AM stations and requests comment on related issues. Johnson Enterprises, Inc.. strongly supports the Commission's proposed rule changes, and urges the Commission to adopt the proposed changes as soon as possible.

As licensee and operator of KLEY-AM, Johnson Enterprises seeks to serve the Wellington and Sumner County areas with a variety of locally oriented programming, including local news, weather, sports, and emergency information. There are only two radio stations located in and dedicated to serving the Sumner County area, and they are KLEY-AM and KWME. However, night-time service on KLEY-AM is severely limited by the extremely low transmitting power of .001 KW at night. We believe the entire area would be better served if we allowed to rebroadcast the KLEY-AM signal on an FM translator. Following are several key reasons for that belief:

- (1) At sunset, KLEY-AM reduces power to .001 KW, which limits its effective reach to a very small area. Any emergencies such as severe weather, flood warnings, tornado warnings, etc. issued by KLEY-AM can not be heard beyond that small area. This also limits the number of listeners able to hear early morning news and weather reports, which are very important to the many people who commute to Wichita and other communities to work.
- (2) The demographics of the Sumner County area are such that a large portion of our audience is older. Many of those people still depend on an AM radio station as an important source of information and entertainment. It is our contention that this portion of the population would benefit greatly from a signal which would not degrade after sunset.
- (3) An important part of local service in Sumner County is the emphasis placed on local school activities, sports events, etc. There are 8 school districts within our service area, and with two stations we are severely limited on the amount of night-time programming we can offer to many of them, particularly in regard to sports events. Although there are FM stations licensed to some of the communities in which those school districts are located, all of those stations are "move-ins", with studios

located in the larger Wichita market, and they do not provide the type of local service which is so important to us.

- (4) At the present time, an FM translator would provide the most cost-effective means of strengthening the local night-time service of KLEY-AM. Although the Commission has approved IBOC service for AM stations, the cost of conversion to digital service is extremely high and would be prohibitive, especially given the fact that there are virtually no IBOC receivers in use in this market area. The cost of adding an FM translator would be far less than digital conversion. And, there are no assurances that a digital signal for KLEY-AM would be any better than the current analog signal.
- (5) We believe that is vitally important to both our business and to the community to keep KLEY-AM viable. Although we have been able to accomplish that thus far, the economic situation around us is continually changing. With fewer locally-owned businesses in our communities, and more consolidation of institutions such as banks, it is more important than ever that we be able to reach out to the other communities within our service area, not just during the day, but at night as well. It would not only hurt our business, but would also be a loss to the area should a day come when KLEY-AM was no longer a viable voice in the community.
- (6) All our research indicates that in those few cases where AM stations have been allowed to use FM translators, the impact has been overwhelmingly positive, both for the stations and the listeners the stations seek to serve. We see no reason to believe that there will be any negatives, as long as the service is used judiciously.

In summary, we would for the reasons stated above, and many others, urge the Commission to quickly approve the rule changes which are proposed. We believe the outcome will be nothing but positive for AM radio stations, and for the communities those stations are charged to serve.

Respectfully Submitted:

E. Gordon Johnson, President/General Manager

Vernon Napier, Operations Manager

Johnson Enterprises, Inc.